IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 9800 of 1998

Between:

Sri Krishna Saw Mill Karlemma Village Rep. by its

Prop.Boddepalli Venkateswara Rao,
Kotturu Mandal, Srikukum District

..... PETITIONER

AND

1 Sarpanch, Gram Panchyat Karlem Village
Kotturu Mandalam , Srikakulam District
2 Government of AP. rep. by its Secretary, Panchyat Raj Department ,
Secretariat, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus, declaring the action of the 1st Respondent in issuing the notice dt. 11/03/1998 as arbitrary, illegal, unjust and contrary to Principles of natural justice in view of G.O.Ms.No.16 Panchyat Raj Rural Developement and Relief (PTS.III) Department dt. 10/01/1996.

Counsel for the Petitioner: MR.B.GAJENDER REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

ORDER:

This writ petition is filed seeking to declare the action of the first respondent in issuing the notice dated 11-03-1998 requiring the petitioner to pay enhanced licence fee, as arbitrary, illegal and contrary to principles of natural justice in view of G.O.Ms. No.16 Panchayat Raj, Rural Development and Relif (PTS.III) Department, dated 10-01-1996.

It is represented by the learned Government Pleader for Panchayat Raj and Rural Development that the subject matter of this writ petition is squarely covered by a judgment of this Court in W.P. No.19737 of 1997 and batch, dated 27-09-1996, wherein it was held that the licence fee enumerated in the schedule to G.O.Ms. No.16, dated 10-01-1996 is applicable only to industries, machinery or manufacturing plants installed on and subsequent to the date of the said G.O. and is inapplicable to industries, which had already been in existence prior to the said date. Following the said judgment, another writ petition in W.P. No.4246 of 1997 was disposed of on 02-02-2001.

In the circumstances, following the said judgments, this writ petition is also disposed of for the same and similar reasons. No costs.

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N.V. RAMANA, J

Date: 04-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Sarpanch, Gram Panchyat Karlem Village
Kotturu Mandalam , Srikakulam District
2 The Secretary, Government of AP., Panchyat Raj Department ,
Secretariat, Hyderabad.

3 Two C.Cs to the Government Pleader for Panchayatraj & Rural Development,
High Court Buildings, Hyderabad.

4 Two C.D.copies.

*Form-NIC-OGS/WP{**PRASAD**}*